

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **March 23, 2004, Work Session**

AGENDA ITEM NO.: 6

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION:

INFORMATION: **X**

ITEM TITLE: Discussion of a Proposed Amendment to the City Code to Require Adequate Receptacles for Waste Generated at Residential Construction Sites

RECOMMENDATION: Consider an amendment to the City Code to require the placement of adequate receptacles for waste generated at residential construction sites.

SUMMARY: In January, Council was approached by a citizen concerned about blowing trash from construction sites in Beacon Hill Subdivision. Staff was directed to bring the matter to Council for discussion at a future work session. While the City Code currently requires litter receptacles on construction sites, the City Attorney originally drafted an amendment to the City Code that would have specified “dumpsters” for trash containment (copy attached). During Council’s work session on February 24, concern was expressed that the proposed amendment was too prescriptive and that broader language should be considered. To address that concern, the City Attorney has revised the proposed amendment to merely require “adequate receptacles”. The revised amendment is attached for your consideration.

PRIOR ACTION(S): January 27, 2003; February 24, 2004 Work Session

FISCAL IMPACT: N/A

CONTACT(S): Walter Erwin

ATTACHMENT(S): Originally proposed code amendment; Revised draft code amendment

REVIEWED BY: lkp

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT SECTION 21.1-8 OF THE CODE OF THE CITY OF LYNCHBURG, 1981, THE AMENDED SECTION RELATING TO CONSTRUCTION AND DEMOLITION SITES WITHIN THE CITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That Section 21.1-8 of the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted as follows:

Sec. 21.1-8. Construction and demolition sites.

The contractor in charge of a construction, development or demolition site shall furnish ~~litter receptacles~~ an on site dumpster to collect and contain litter and to prevent the scattering of bulk litter on a daily basis. It shall be the contractor's responsibility to make sure that all construction waste, demolition waste and litter are disposed of in such dumpster in order to prevent the same from drifting or blowing onto adjoining properties. All litter shall be removed from such site as often as necessary to prevent scattering, offensive odors and/or health hazards. No certificate of occupancy shall be issued until the site is litter-free.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified:

Clerk of Council

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ORDINANCE

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That Section 21.1-8 of the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted as follows:

Sec. 21.1-8. Construction and demolition sites.

The contractor in charge of a construction, development or demolition site shall furnish ~~litter~~ adequate receptacles to collect and contain all construction, demolition or remodeling waste and litter that are generated by the work on the site and to prevent the scattering of ~~bulk~~ construction, demolition or remodeling waste and litter, on a daily basis. It shall be the contractor's responsibility to make sure that all construction, demolition or remodeling waste and litter are disposed of in such receptacles in order to prevent the same from drifting or blowing onto adjoining properties. All construction, demolition or remodeling waste and litter, shall be removed from such site as often as necessary to prevent scattering, offensive odors and/or health hazards. No certificate of occupancy shall be issued until the site is free from all construction, demolition or remodeling waste and litter ~~free~~.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified: _____
Clerk of Council